

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:

RIPPEE, GENE

DEBTOR

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CASE NO. 02-32262-R
CHAPTER 7

TRUSTEE'S
FINAL REPORT AND PROPOSED DISTRIBUTION
IN CASE WITH PENDING DISMISSAL

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: September 11, 2005

/s/ Linda Payne
Linda Payne, Trustee

9. Attached to this Report as Exhibit "A" is the Agreed Order Dismissing Case.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: September 11, 2005

/s/ Linda Payne
Linda Payne, Trustee

EOD

07/22/2005

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
PARIS DIVISION**

IN RE:**RIPPEE, GENE & JANET****DEBTORS**

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**CASE NO. 02-32262
CHAPTER 7**

AGREED ORDER DISMISSING BANKRUPTCY CASE

ON THIS DATE, the Court considered Gene & Janet Rippee's (the "Debtors") Motion to Voluntarily Dismiss Debtors' Chapter 7 Bankruptcy (the "Motion"), and the parties having reached an agreement, which is contained herein, it is therefore

ORDERED that the above referenced bankruptcy case be dismissed; it is further

ORDERED that the Debtors deposit the sum of \$6,500.00 into the trust account of The Moore Law Firm, LLP (counsel to Linda Payne, the Chapter 7 Trustee for this case) no later than 10 days of the date of this order (the "Deposit"); it is further

ORDERED that the trustee's administrative expenses for this bankruptcy case, as approved by this Court under §§326, 327 and 330 of the Bankruptcy Code in an amount not to exceed \$6,500.00 in trustee compensation and attorney's fees and costs, shall be paid from the Deposit and shall be further limited to the following: the Trustee's fees to be paid from the Deposit are the fees of Linda Payne, Trustee, and her counsel, Bill F. Payne, Esq. of The Moore Law Firm; it is further

ORDERED that any portion of the Deposit remaining after payment to Linda Payne, Trustee, and The Moore Law Firm in this bankruptcy case, as approved by this Court, shall be returned to Debtors; it is further

ORDERED that notwithstanding the dismissal of this bankruptcy case, as provided herein, this Court shall retain jurisdiction over this case for the sole purpose of permitting the Trustee and her counsel to seek approval of their fees and expenses to be paid from the Deposit, as provided herein.

Signed on 7/21/2005

Brenda T. Rhoades SR
HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE

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JOYCE LINDAUER

PAGE 04/04

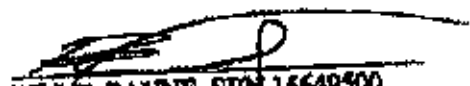
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AGREED:

THE MOORE LAW FIRM, L.L.P.


BILLIE PAYNE, SBN 15649300
100 North Main Street
Paris, Texas 75460
Telephone 903-784-4393
Facsimile 903-737-0586
Attorneys for Trustee


Joyce W. Lindauer, SBN 21355700
8140 Walnut Hill Lane, Ste 301
Dallas, Texas 75231
Telephone 972-503-4033
Facsimile 972-503-4034
Attorney for Debtor

SCHEDULE A-1

FINAL ACCOUNT AS OF: 8/31/05

Gene Rippee 02-32262

A: Recelpts	\$ 6,503.16
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B. Disbursements

1. Secured Creditors-----\$

2. Administrative-----	4,593.98
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3. Priority-----

4. Other-----

Total disbursements----- \$

C. Current Balance	\$1,909.18
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Form 1

Page: 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 02-32262 BTR

Trustee: (631540)

LINDA S. PAYNE

Case Name: RIPPEE, GENE ALLEN

Filed (f) or Converted (c): 10/25/02 (f)

\$341(a) Meeting Date: 12/16/02

Period Ending: 08/25/05

Claims Bar Date:

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA) Gross Value of Remaining Assets
1	Inheritance (u)	0.00	Unknown		0.00	Unknown
2	Administrative Expenses (u) Court ordered for administrative expenses	0.00	6,500.00		6,500.00	FA
Int	INTEREST (u)	Unknown	N/A		3.16	Unknown
3	Assets	Totals (Excluding unknown values)	\$0.00	\$6,500.00	\$6,503.16	\$0.00

Major Activities Affecting Case Closing:

Discharge was revoked. Made demand for funds.

Debtor filed MTD on 4/1/05.

Initial Projected Date Of Final Report (TFR): January 30, 2005

Current Projected Date Of Final Report (TFR): December 30, 2005

Form 2

Cash Receipts And Disbursements Record

Page: 1

Case Number: 02-32262 BTR
Case Name: RIPPEE, GENE ALLEN
Taxpayer ID #: 13-7465172
Period Ending: 08/25/05

Trustee: LINDA S. PAYNE (631540)
Bank Name: JPMORGAN CHASE BANK, N.A.
Account: ***-***23-65 - Money Market Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Money Market Account Balance
06/06/05	{2}	Gene A. Rippee	Payment for administrative expenses - court ordered	1290-000	6,500.00		6,500.00
06/30/05	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.4000%	1270-000	1.64	4,575.00	1,926.64
07/06/05	1001	BILL PAYNE		3220-000		18.98	1,907.66
07/06/05	1002	BILL PAYNE		3220-000			1,908.62
07/29/05	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.4500%	1270-000	0.96		1,909.18
08/25/05	Int	JPMORGAN CHASE BANK, N.A.	Current Interest Rate is 0.4500%	1270-000	0.56		1,909.18
08/25/05		To Account #*****2366	Final report	9999-000	1	1,909.18	0.00

ACCOUNT TOTALS
Less: Bank Transfers 6,503.16
Subtotal 0.00
Less: Payments to Debtors 4,593.98
NET Receipts / Disbursements \$6,503.16 \$4,593.98

Form 2

Page: 2

Cash Receipts And Disbursements Record

Case Number: 02-32262 BTR
 Case Name: RIPPEE, GENE ALLEN
 Taxpayer ID #: 13-7465172
 Period Ending: 08/25/05

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK, N.A.
 Account: ***-****23-66 - Checking Account
 Blanket Bond: \$300,000.00 (per case limit)
 Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
08/25/05		From Account #*****2365	Final report	9999-0001 1,909.18		1,909.18

ACCOUNT TOTALS

Less: Bank Transfers

1,909.18

0.00

\$1,909.18

Subtotal

0.00

0.00

0.00

Less: Payments to Debtors

0.00

0.00

0.00

NET Receipts / Disbursements

\$0.00

\$0.00

\$0.00

TOTAL - ALL ACCOUNTS

Net Receipts

Net Disbursements

Account Balances

MMA # ***-****23-65

6,503.16

4,593.98

0.00

Checking # ***-****23-66

0.00

0.00

1,909.18

\$6,503.16

\$4,593.98

\$1,909.18

Surplus to Debtor & Interest on Claims

Trustee: LINDA S. PAYNE (631540)

Case: 02-32262 RIPPEE, GENE ALLEN

Petition Date: 10/25/02 Date of Proposed Payment: 09/11/05

Disbursement Summary

	PAID	DUE	TOTAL
2100 Trustee Compensation	\$0.00	\$1,400.32	\$1,400.32
7990 Interest	\$0.00	\$0.00	\$0.00
8100 Exemptions	\$0.00	\$0.00	\$0.00
8200 Excess Funds (Surplus+Equity)	\$0.00	\$131.77	\$131.77
8500 Funds Paid to 3rd Party	\$0.00	\$0.00	\$0.00
All Other Disbursements	\$4,593.98	\$377.09	\$4,971.07
Total :	\$4,593.98	\$1,909.18	\$6,503.16

Surplus to Debtor Calculation

Gross Receipts	\$6,503.16
Plus Additional Funds to be Received	\$0.00
Total Projected Gross Receipts	\$6,503.16
Less Compensable Disbursements:	
Interest Disbursements @ 0.0000%	\$0.00
Trustee Compensation	\$1,400.32
Other Compensable Disbursements	\$4,971.07
Total Compensable Disbursements	\$6,371.39
Less Exemptions	\$0.00
Less Funds Paid to 3rd Parties	\$0.00
Excess Funds (Surplus to Debtor + Equity Security Holder)	\$131.77

Selected Report Options

Use Trustee Compensation Claims and DO NOT Recalculate

Use Interest Claims and DO NOT Recalculate

DO NOT Create/Update Surplus to Debtor Claims

Compensation Calculation

Total Compensable Disbursements	\$6,371.39
Less Trustee Compensation	(\$1,400.32)
Total Compensable Disbursements except Trustee Compensation (X)	\$4,971.07
Calculated Compensation (Y)	<u>\$1,400.32</u>
Y =	$(X - \$5,000.00) \times 10\% + \$1,250.00$
	0.90

Compensation Proof

Total Projected Gross Receipts	\$6,503.16
Less Non-Compensable Disbursements:	
Less Exemptions	\$0.00
Less Funds Paid to 3rd Parties	\$0.00
Excess Funds	\$131.77
Projected Net Estate	\$6,371.39
25% of first \$5,000.00	1,250.00
10% of next \$1,371.39	137.14
5% of next \$0.00	0.00
3% of remainder \$0.00	0.00
Total Compensation	\$1,387.14

† Indicates the Trustee Compensation may be adjusted by the rounding interest of \$13.2.

Trustee's Compensation**Debtor: RIPPEE, GENE ALLEN****Case: 02-32262****Computation of Compensation**

Total disbursements to other than the debtor are: 6,503.16

Pursuant to 11 U.S.C. 326, compensation is computed as follows:

25% of First \$5,000	5,000.00 =	1,250.00
10% of Next \$45,000	1,503.16 =	150.32
5% of Next \$950,000	0.00 =	0.00
3% of Balance	0.00 =	0.00

Calculated Total Compensation: **\$1,400.32**

Plus Adjustment: 0.00

Total Compensation: \$1,400.32

Less Previously Paid: 0.00

Total Compensation Requested: \$1,400.32**Trustee Expenses**

Premium on Trustee's Bond 0.00

Travel 0.0 miles at 0.0 cents per mile 0.00

Copies 80 copies at 25.0 cents per copy 20.00

Postage 21.09

Telephone Charges 0.00

Clerical / Secretarial 6.35 hours at 20.00 dollars per hour 127.00

Paralegal Assistance 0.00 hours at 0.00 dollars per hour 0.00

Supplies / Stationery 0.00

Distribution Expenses 0.00

Professional Expenses 0.00

Other Expenses 0.00

Other Expenses 2 0.00

Subtotal Expenses: \$168.09

Plus Adjustment: 0.00

Total Expenses: \$168.09

Less Previously Paid: 0.00

Total Expenses Requested: \$168.09

The undersigned Trustee certifies under penalty of perjury that the foregoing is true and correct to the best of his/her knowledge and requests the United States Trustee to approve this report and accounts and requests the Court to provide for notice and opportunity for a hearing under 11 U.S.C. 330(a), 502(b), and 503(b) and to thereafter award final compensation or reimbursement of expenses and to make final allowance for the purposes of distribution to claims, administrative expenses, and other payments stated in this report and account.

WHEREFORE, the Trustee requests that this application be approved by this Court and that the Trustee be granted an allowance of \$1,400.32 as compensation and \$168.09 for reimbursement of expenses. The Trustee further states that no payments have been made or promised to him/her for services rendered or to be rendered in any capacity in this case. No agreement or understanding exists between applicant and any other person for sharing compensation received or to be received.

Dated: 08/25/05

Signed: LINDA S. PAYNE
100 NORTH MAIN ST.

PARIS, TX 75460

Exhibit "A"**Period: 01/01/00 - 08/25/05****Trustee: LINDA S. PAYNE (631540)****Case Number:** 02-32262**Case Name:** RIPPEE, GENE ALLEN**Case Type:** Assets**Judge:** Brenda T. Rhoades**Petition Date:** 10/25/02**341a Meeting:** 12/16/02 15:45**Category: CLERICAL**

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
01/22/04	Prepare Motion to Reopen, send out notices. Prepare Motion to Defer Filing Fee	3.25	\$20.000	\$65.00
03/05/04	Prepare and File Application to Employ Attorney	1.00	\$20.000	\$20.00
05/31/05	Prepare, file and notice Application to Pay Attorney	2.10	\$20.000	\$42.00
Total for category CLERICAL:		6.35		\$127.00

Category: COPIES

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
01/21/04	Motion to Reopen Case	31.00	\$0.250	\$7.75
01/22/04	Letter to Attorney for Debtor	6.00	\$0.250	\$1.50
01/22/04	Letter to James Rippee	2.00	\$0.250	\$0.50
01/22/04	Motion to Defer Filing Fee	3.00	\$0.250	\$0.75
03/05/04	Application to Employ Attorney	3.00	\$0.250	\$0.75
04/05/04	Application to Defer Filing Fee in Adversary	3.00	\$0.250	\$0.75
05/31/05	Application to Pay Attorney	32.00	\$0.250	\$8.00
Total for category COPIES:		80.00		\$20.00

Category: POSTAGE

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
01/21/04	Motion to Reopen Case	29.00	\$0.370	\$10.73
01/22/04	Letter to James A. Rippee	1.00	\$0.370	\$0.37
01/22/04	Letter to Sharon Cox	1.00	\$0.370	\$0.37
05/31/05	Mail Application to Pay Attorney	26.00	\$0.370	\$9.62
Total for category POSTAGE:		57.00		\$21.09

Total for case 02-32262: \$168.09**Grand Total: \$168.09**

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Filing fees	209.00	0	209.00
C. Quarterly Chapt 11			
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Insurance			
F. Other (itemize)			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes</u> <u>and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and</u> <u>Reimbursement</u>			
A. Trustee Fees	1,400.32	0	1,400.32
B. Trustee Expenses	168.09	0	168.09
C. Attorney to Trustee (Order # 25 on docket)	4,575.00	4,575.00	
D. Expenses for Attorney To Trustee	18.98	18.98	
E. Attorney for Debtor			
F. Auctioneer Fees (#29 on docket)			
G. Auctioneer Expenses			
5. Other (Itemize)			
 TOTAL-----	 \$ 6,371.39	 4,593.98	 1,777.41

SCHEDULE D
PRIORITY CLAIMS

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
1. For Credit Extended §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					

TOTAL ALLOWED PRIORITY CLAIMS: \$0
TIMELY FILED ALLOWED UNSECURED CLAIMS TOTAL: \$
LATE UNSECURED CLAIMS: \$

SCHEDULE

SECURED CLAIMS

Claim #	Claimant	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Amount Due
Totals		\$ 0				

Total allowed Unsecured claims \$ 0

/s/ Linda S. Payne
Linda S. Payne, Trustee

Surplus to Debtor & Interest on Claims **Trustee: LINDA S. PAYNE (631540)**

Case: 02-32262 RIPPEE, GENE ALLEN

Petition Date: 10/25/02 Date of Proposed Payment: 09/11/05

Claim #	Claimant Name	T Code	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Proposed Interest	Total Proposed	Maximum Interest
	BILL PAYNE	3210-00	4,575.00	4,575.00	0.00				
	BILL PAYNE	3220-00	18.98	18.98	0.00				
	LINDA S. PAYNE	2100-00	1,400.32	0.00	1,400.32	1,400.32		1,400.32	
	LINDA S. PAYNE	2200-00	168.09	0.00	168.09	168.09		168.09	
100	CLERK, U. S. BANKRUPTCY COURT	2700-00	209.00	0.00	209.00	209.00		209.00	
Subtotal for Claims :			\$6,371.39	\$4,593.98	\$1,777.41	\$1,777.41	\$0.00	\$1,777.41	\$0.00
Disbursements not Tied to Claims (Group by Categories except Trustee Compensation)									
<Excess Funds (Surplus+Equity) Not Tied to Claim>			8200	0.00		131.77		131.77	
Subtotal for Non-Claims :				\$0.00		\$131.77		\$131.77	\$0.00

Case Total :**\$6,371.39****\$4,593.98****\$1,777.41****\$1,909.18****\$0.00****\$1,909.18****\$0.00**